

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 23-27 are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 15-27 are now pending in this application.

In the action dated August 26, 2005, the Examiner rejected claims 15-22 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,816,944, issued to Peng. The Examiner has asserted that all of the features in these claims can be found in the Peng reference.

Notwithstanding the Examiner's rejections, Applicant respectfully traverses these rejections. In particular, the Peng reference neither teaches nor suggests the computation of remuneration data as is specifically described in each of the pending independent claims. Independent claim 15 includes a limitation of "computing remuneration data related to the electronic content and the adaptation data based on the generated data." Similarly, claim 18 describes "computing means for computing remuneration data based on the generated data," while independent claims 21 and 22 also discuss the computation of remuneration data. As is discussed in Paragraph No. 38 of the previously-amended specification, the computing mechanism performs computations in order to determine a charge that is to be made to a user.

Applicant submits that this feature is not taught by the Peng reference, making the Examiner's rejection under 35 U.S.C. § 102(e) improper. The Examiner has cited column 7, lines 44-46 to support his assertion that such a computing system exists in the Peng reference. However, the Peng reference only discusses the use of a transaction manager module for

performing specific functions. Importantly, the transaction manager does not compute remuneration data. Instead, the Peng reference only notes that “[t]ransaction tracking also *facilitates* billing by providing a detailed record of each user’s billable activities.” In other words, the Peng reference only teaches a system that monitors a user’s activities and provides a detailed record of them. It does not actually compute remuneration data. In fact, the sentence cited by the Examiner supports this position by acknowledging that the system only goes so far as to create activity records. The present invention, on the other hand and as described in the claims, actually performs computations to determine a charge to be levied. This additional process is not disclosed in the Peng reference and, with regard to claims 18-22, the Peng reference does not disclose any structure whatsoever that performs this process.

For the above reasons, Applicant respectfully submits that claims 15-22 are patentable over the Peng reference.

In addition to the above, Applicant has also submitted new claims 23-27. In independent claim 23, remuneration data is computed only after data is generated to indicate that the adaptation data has been successfully applied to the electronic content. Similarly, independent claim 26 includes an account register configured to compute remuneration data if data generated via the application of the adaptation data to the electronic content includes an indication that the adaptation data has been successfully applied to the electronic content. As discussed above, the Peng reference does not teach the generation of remuneration data. However, even if such a position were alleged by the Examiner, the Peng reference clearly does not teach the generation of such data only if such an indication is first received. For this reason, Applicant submits that new independent claims 23 and 26, as well as their respective dependent claims, are also patentable over the cited prior art.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

Respectfully submitted,

Date JANUARY 26, 2006

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